

HAMILTON COUNTY BOARD OF COMMISSIONERS
OCTOBER 23, 2006

The Hamilton County Board of Commissioners met on Monday, October 23, 2006 in the Commissioners Courtroom in the Hamilton County Government and Judicial Center, One Hamilton County Square, Noblesville, Indiana. The Commissioners met in Executive Session at 12:15 p.m. in Conference Room 1A. President Holt called the public session to order at 1:00 p.m. and declared a quorum present of Commissioner Steven C. Dillinger and Commissioner Steven A. Holt. Commissioner Christine Altman arrived at 1:15 p.m. The Pledge of Allegiance was recited.

Approval of Minutes

Dillinger motioned to approve the minutes of September 25, 2006. Holt seconded. Motion carried unanimously.

Dillinger motioned to approve the minutes of Joint Meeting of September 25, 2006. Holt seconded. Motion carried unanimously.

Dillinger motioned to approve the minute of September 29, 2006. Holt seconded. Motion carried unanimously.

Dillinger motioned to approve the minutes of October 9, 2006. Holt seconded. Motion carried unanimously.

Executive Session Memoranda

Dillinger motioned to approve the Executive Session Memoranda of October 23, 2006. Holt seconded. Motion carried unanimously.

Plat Approval

Essex of Noblesville, Section 1B

Mr. Joel Thurman presented the plat for Essex of Noblesville, Section 1B for approval. Thurman stated Essex of Noblesville is a subdivision that in a previous meeting the Commissioners approved the standards be built to Noblesville's standards, not the county standards. Typically the Commissioners is the last signee on plats but this plat will be taken to Noblesville for final signatures. Thurman stated the highway department recommends approval of the plat. Dillinger motioned to approve. Holt seconded. Motion carried unanimously.

Highway Business

Acceptance of Bonds/Letters of Credit - Highway Department

Thurman requested acceptance of Bonds and Letters of Credit for the highway department. 1) HCHD #B-06-0043 - Fidelity and Deposit Company Performance and Payment Bond No. 7585696 issued on behalf of Calumet Asphalt Paving Co., Inc. for Resurface Contract No. 06-4 to expire October 3, 2008. 2) HCHD #B-06-0044 - The Cincinnati Insurance Company Right of Way License Bond No. 0495476 issued on behalf of Catalyst Construction Management Inc. in the sum of \$39,000 to expire October 5, 2007. Dillinger motioned to approve. Holt seconded. Motion carried unanimously.

Release of Bonds/Letters of Credit - Highway Department

Thurman requested the release of Bonds and Letters of Credit for the highway department. 1) HCHD #B-02-0095 - Fidelity and Deposit Company Permit Bond No. LPM08537084 issued on behalf of Atkins Excavation, Inc. for a water line at 13011 Water Ridge Drive, McCordsville, IN. Dillinger motioned to approve. Holt seconded. Motion carried unanimously.

Agreements/Supplements [1:05:01]

104th Street and Olio Road Project

Thurman requested approval of a letter from United Consulting Engineers, the engineers for the 104th and Olio Road Project, for early coordination of the environmental requirements to meet federal aid funding. Dillinger motioned to approve. Holt seconded. Motion carried unanimously.

Concurrence with Traffic Study Correspondence

Thurman requested approval of the list of correspondence concerning investigations of requests for signage on Hamilton County Roads. Dillinger motioned to approve. Holt seconded. Motion carried unanimously.

Dedication of Public Right of Way

Windsor Grove Subdivision

Thurman requested acceptance of Dedication of Public Right of Way from Windsor Grove LLC for the Windsor Grove Subdivision in western Clay Township. The right of way was needed for a passing blister on 106th Street. Dillinger motioned to approve. Holt seconded. Motion carried unanimously.

Correspondence

Bridge #262 Report of Contract Final Inspection

Thurman requested approval of the Report of Contract Final Inspection and Recommendation for Acceptance to the Indiana Department of Transportation (INDOT) for Bridge #262, Fall Creek Road over Geist Reservoir. Dillinger motioned to approve. Holt seconded. Motion carried unanimously.

Announcements

Highway Auction

Mr. Brad Davis stated the highway surplus equipment auction went well with \$19,781.50 collected.

Friday Highway Meeting

Davis stated there are no issues to discuss for the scheduled Friday morning highway meeting. The meeting of October 27, 2006 has been canceled.

Administrative Assistant [1:09:36]

Lead Poisoning Prevention Week

Mr. Fred Swift requested approval of a Proclamation proclaiming October 22-28, 2006 as Hamilton County Lead Poisoning Prevention Week. Dillinger motioned to approve. Holt seconded. Motion carried unanimously.

Voter Registration Office Relocation

Swift stated he has been looking at possible sites to relocate the Voter Registration office to. Swift suggested the room presently used for Janus storage and the mailroom, both located in the basement of the Judicial Center. The mailroom is being used for storage by Buildings and Grounds. Holt asked if Swift has spoken with the current users of these rooms? Swift stated Janus would need a cupboard built on their east wall of the canteen to store their freezer and supplies. The mailroom would require Buildings and Grounds moving the items out of the room to another storage area.

Altman arrived at the meeting. [1:13:31]

Holt asked Swift if his recommendation is the mailroom? Swift stated his recommendation would be the Janus storage room because of the visibility, but either room would suffice. Holt stated the Janus recommendation carries a price tag and the mailroom does not. Swift stated that is true. Holt motioned to use the mailroom. Dillinger seconded. Dillinger and Holt approved. Altman abstained. Motion carried.

December Education Seminar

HAMILTON COUNTY BOARD OF COMMISSIONERS
OCTOBER 23, 2006

Swift stated December 21, 2006 at 12:00 noon has been established as the annual December Luncheon and Education Seminar.

Meeting Update

Altman presented an update on the meeting she attended this morning. Altman stated Representative Buell is doing fact finding on Resolution 67. They are asking the State Ways and Means Committee to look into transit. It was not just the new regional transit but also included Northern Indiana Transportation and all transit in the State. Information on national trends in terms of what public transportation is doing, the growth in that area, how it is beginning to be viewed with transportation was presented. Altman stated combining our transportation system and making transit an integral part of that is what we have been doing regionally. We are online with the national trends and they are all positive. Apparently when the sales tax was increased from 5% to 6% a portion of the sales tax goes to underwrite transportation or transit. When they increased the sales tax they reduced the rate that went over. Right now the lions share of that money goes to IndyGo and another rate goes to northern Indiana. The revenue has gone down over the last two years by approximately \$18 million. They miscalculated the sales tax increase and what it would do. Altman stated she thinks that would be helpful for the regional partners. Her role today was to speak on what CIRT was doing. Senator Kenley had a lot of questions and issues that will need to be addressed.

Commissioner Committee Reports

Personnel Committee

Dillinger stated the Personnel Committee met but nothing needs to be reported at this time.

Dedication of Animal Control Center

Holt stated the dedication of the Animal Control Center is this afternoon at 4:00 p.m. Howard is working on the addendum to the lease for the tenants regarding building maintenance, utilities, 50/50 split of common area and pro-rata for housekeeping expenses.

Cell Phone User Policy [1:23:11]

Ms. BJ Casali presented the final policy for cell phone use by Hamilton County employees. Cingular is the preferred vendor, ISS will be the point of contact for phones provided and all services. A pool plan has been chosen with an average of 400 minutes and employees have the option to purchase additional minutes via payroll deduction. Dillinger asked Altman to carry the request to county council that the phone bill line item should be taken out of department budgets and put under the ISS budget in order for ISS to monitor this program. Casali stated if an employee wants more than 450 minutes there are options for 900 minutes, 1550 minutes and 2550 minutes for their personnel use. Altman asked what are the rates for personal use? Casali stated for the 450 minutes it is \$10.00 per pay period, 900 minutes is \$17.00 per pay period, for 1550 minutes is \$25.50 per pay period. Altman clarified that for 450 minutes it will cost the employee \$20.00 per month? Casali stated yes. Ms. Sheena Randall stated in addition, because the bill comes to ISSD in one formatted file, if employees want access to view their minutes they would have to pay \$5.00 per month for that access (\$2.50 per pay period) which is included on the enrollment period. Cell to cell phone calls on the same network are free. ISS will make the payments. There are several free phones which include an AC adapter, there is an option for phone upgrades twice a year and the county will provide, one time only, the accessory kit which includes a car charger, belt holster and a wire ear bug. If the employee wants other equipment they can purchase it themselves with a discount of 25%. For all but the free phones the employees must work directly with Ben Brown, the Cingular representative, they will have to provide him with a credit card number. The phone will be charged directly to the employee, the phone will be property of the employee and all accessories will be at the employee's expense. If they choose to not take a free phone, the employee would have to pay for it themselves. There is also an employee/family discount but there is a two year contract required. The Cingular policy is that the agreement be in the employee's name, not a family members name. Altman asked how much is the discount? Casali stated it is a discount of 15% depending on the plan chosen. Reimbursement of business use of a personal cell phone would have to be approved in advance by the Board of Commissioners. Randall stated the Auditor and her staff attended the Auditor's Conference last week and one of the discussions was relevant to taxable fringe benefits for employees and the information has been passed on to her to review. Randall stated it is advantageous for the employees to buy additional minutes because those minutes go into the county's pool. Altman stated if you have a personal plan you can accumulate unused minutes. Casali stated there are no rollover minutes in this plan. Dillinger stated they have tried to have some controls without making administration of the controls unmanageable. Casali stated we do realize there will be times that employees will go over the minutes with business use. It should be minimized now that the calls will be cell to cell. Altman asked under this plan we would no longer reimburse anyone for personal use of their cell phone for county business? Dillinger stated yes, as long as it is approved by the commissioners. Altman stated she had a question on the portability of personal numbers, since we allow people to buy additional minutes for personal use why would we not allow them to port their number? Casali stated if they port their number over that number becomes a county number and when they leave the county they lose that phone number. Altman asked if the language has been changed? The language prohibits them from porting their number, we need to clarify that they can but they lose it if they buy personal use. Randall will amend the language. Dillinger motioned to approve the cell phone policy as amended. Altman seconded. Motion carried unanimously.

[1:33:14] Dillinger motioned to allow himself, Holt and Altman be allowed an exception on the cell phone policy. Holt seconded. Motion carried unanimously.

Distribution of Coupons

Randall stated she has two businesses, The Artist's Vineyard and Coastal Tans, that have requested permission to distribute coupons to county employees. Holt asked if these are inserts for payroll? Randall stated yes. Altman asked if this will increase our employees time to stuff envelopes? Randall stated she had planned on making copies of the information and give it to the elected officials and department heads and if anyone is interested they can make a photocopy of it. Altman motioned to approve as long as it not using our resources for copying. Dillinger seconded. Motion carried unanimously.

Request to Proceed to Personnel Committee - ISSD

HAMILTON COUNTY BOARD OF COMMISSIONERS
OCTOBER 23, 2006

Casali requested permission to proceed to the Personnel Committee to develop a job description for an Administrative Assistant, Pay Classification COMOT F. Dillinger motioned to approve. Altman seconded with it going to ISS Board and Personnel Committee. Motion carried unanimously.

United Way Campaign

Swift stated he has made the information for this year's United Way Campaign and pledge forms available to the employees and has re-enforced the message through e-mail.

Cell Phone for Commissioners Assistant

Swift asked if the Commissioners would authorize him to have a county cell phone? Altman motioned to approve. Dillinger seconded. Motion carried unanimously.

LEPC Sub-Grant Agreement

Altman motioned to approve the LEPC Sub-Grant Agreement for the purchase of laptops that are specially programmed to work with the new CAD/RMS System. The laptops have been allocated to the northern jurisdictions that do not have the equipment budgets to fund their own laptops. This is the first of two grants that will provide laptops. Dillinger seconded. Motion carried unanimously.

Attorney [1:40:50]

Ordinance 10-23-06-B Repealing Licensing and Taxation of Dogs

Mr. Darren Murphy requested approval of Ordinance 10-23-06-B, An Ordinance Repealing Hamilton County Ordinance Section 15-2.1-1-4 Regarding Licensing and Taxation of Dogs. Altman stated she thought in the original ordinance that there was a dog tax imposed. Murphy stated there was but the Fiscal Body has the ability to adopt the Dog Tax, not the Executive. Dillinger motioned to repeal the dog tax. Altman seconded. Motion carried unanimously.

Ordinance 9-25-06-A, Drainage Structures

Mr. Michael Howard presented final reading of Ordinance 9-25-06-A, An Ordinance of the Hamilton County Board of Commissioners Establishing Procedures for Imposing Maintenance Duties for Drainage Structures which Discharge Into Regulated Drains. Altman motioned to approve as amended. Dillinger seconded. Altman asked if we have asked the Surveyor's office to make the provisions in their presumed on all requests going through that office. It was permissive in the ordinance that we may do this and may do that. Is there a presumption that we will do that? Howard stated he will prepare the form of the preliminary lien and download it for them so they can check the appropriate issue. Motion carried unanimously.

Ordinance 10-23-06-A, Amending the Hamilton County Health Code

Howard introduced Ordinance 10-23-06-A, Amending the Hamilton County Health Code. Howard asked that Barry McNulty to be placed on the next meeting agenda for final discussion and approval. Dillinger motioned to introduce Ordinance 10-23-06-A. Altman seconded. Motion carried unanimously.

Animal Control Center Operating Agreement

Howard stated he is preparing the Operating Agreement for the Animal Shelter between the Hamilton County Humane Society and Spay/Neuter Clinic as applied to landlord and tenant issues. Specifically division of utilities, cleaning costs, using common area and a key policy.

Auditor [1:49:43]

Procedure of Replacement of Totaled Sheriff's Vehicles

Ms. Robin Mills requested approval of a procedure for replacement of totaled Sheriff's vehicles. A motion from the Commissioners that replacement of totaled Sheriff's vehicles will be paid for from the Liability Trust is needed. Altman motioned to approve. Dillinger seconded. Motion carried unanimously. [1:51:27] Holt stated the procedure does not speak to where there is insurance tendered to the county, we would want that to go into the Liability Trust, not the General Fund? Mills stated it does. Altman motioned to amend accordingly. Dillinger seconded. Motion carried unanimously. Mills will include that wording. The procedure will be as follows:

1. Vehicle is declared totaled
2. Sheriff's Department immediately orders a replacement vehicle
3. All parts that can be used for the new vehicle will be salvaged
4. Vehicle should be sold for salvage for the highest price. The salvage check, insurance and any related
5. The invoice for the replacement vehicle will be given to the Safety Risk Manager then forwarded to the
6. The Liability Trust Claim will be presented to the Commissioners for final payment approval.

reimbursements will be
Auditor's office for pa

HHW Operation Interlocal Agreement

Mills requested approval of the Interlocal Agreement between the Hamilton County Health Department, Hamilton County Solid Waste Board and Hamilton County Commissioners for operation of the Household Hazardous Waste Center. Altman motioned to approve. Dillinger seconded. Motion carried unanimously.

County Treasurer's Monthly Report

Mills requested approval of the Treasurer's Monthly Report dated September 30, 2006. Altman motioned to approve. Dillinger seconded. Motion carried unanimously.

Acceptance of Bonds/Letters of Credit - Drainage Board

Mills requested acceptance of Bonds and Letters of Credit for the drainage board. 1) HCDB-2006-00052 - National City Bank Irrevocable Standby Letter of Credit No. SCL013027 for Woods of Lion Creek storm sewers - \$362,158.00. 2) HCDB-2006-00052 - National City Bank Irrevocable Standby Letter of Credit No. SCL013027 for Woods of Lion Creek storm sewers - \$362,158.00 (amendment to correct beneficiary name from Hamilton County Road of Commissioners to Hamilton County Board of Commissioners). Dillinger motioned to approve. Altman seconded.

Release of Bonds/Letters of Credit - Drainage Board

Mills requested the release of Bonds and Letters of Credit for the drainage board. 1) HCDB-2005-00074 - Bond Safeguard Insurance Company Performance Bond No. 5017923 for Heather Knoll Section 2 storm sewers - \$212,544.00. 2) HCDB-2005-00075 - Bond Safeguard Insurance Company Subdivision Bond No. 5017922 for Heather Knoll Section 2 erosion control - \$6,495.00. 3) HCDB-2005-00075 - Bond Safeguard Insurance Company Subdivision Bond No. 5020171 for Lakes at Towne Road Phase 2 storm sewers and subsurface drains - \$175,324.00. 4) HCDB-2005-00123 - Bond Safeguard Insurance Company Subdivision Bond No. 5020170 for Lakes at Towne Road Phase 2 erosion control - \$68,494.00. Dillinger motioned to approve. Altman seconded. Motion carried unanimously.

Payroll Claims

HAMILTON COUNTY BOARD OF COMMISSIONERS
OCTOBER 23, 2006

Mills requested approval of Payroll Claims for the period of September 25-October 8, 2006 paid October 20, 2006. Dillinger motioned to approve. Altman seconded. Motion carried unanimously.

Vendor Claims

Mills requested approval of Vendor Claims to be paid October 24, 2006. Dillinger motioned to approve. Altman seconded. Motion carried unanimously.

Dillinger motioned to adjourn. Altman seconded. Motion carried unanimously. [1:53:14]

Commissioners Correspondence

DNR Notice of “No Historic Properties Affected” for CDBG Grant - Clay Township

Beam, Longest and Neff Notice of Transmittal:

Bridge #220, Lamong Road over McKinzie Ditch

Small Structure Inventory

IDEM Notice of Sewer Permit Applications:

Cooper Commons - Noblesville

Fishers Ridge Office/Warehouse Condominium Complex - Fishers

Riverview Medical Arts at AMLI at Prairie Lakes - Noblesville

IDEM Notice of Sanitary Sewer Construction Plans and Specifications:

Brighton Knoll, Section 2- Noblesville

Sanitary Sewer System Improvements Project - Sheridan

Fishers Ridge Office/Warehouse Condominium Complex - Fishers

Olio Pavilion - Fishers

Sedona, Section 5 - Fishers

IDEM Notice of Decision New Source Construction and Minor Source Operating:

Bates Technologies - Fishers

Certificate of Insurance:

15K Walk at Cool Creek Park

Present

Christine Altman, Commissioner

Steven C. Dillinger, Commissioner

Steven A. Holt, Commissioner

Robin M. Mills, Auditor

Kim Rauch, Administrative Assistant to Auditor

Fred Swift, Administrative Assistant to Commissioners

Michael A. Howard, Attorney

Darren Murphy, Attorney

Mark Bowen, Sheriff’s Department

rad Davis, Highway Director

Joel Thurman, Interim Highway Engineer

Christopher Burt, Highway Staff Engineer

Tim Knapp, Highway Right-of-Way Specialist

Matt Knight, Highway Staff Engineer

Faraz Kahn, Highway Department

Bob Davis, Highway Superintendent

Patti Smith, Beam, Longest and Neff

Becki Wise, USI

Floyd Burroughs, FEBA

Mark Applegate, Boone County

Jose Kreutz, Essex of Noblesville

David Whiteman

APPROVED
HAMILTON COUNTY BOARD OF COMMISSIONERS

ATTEST:

Sharon Thomas

Robin M. Mills, Auditor